

## **REMARKS**

### **I. Formal Matters.**

As an initial matter, Applicant thanks the Examiner for returning the initialed Form PTO-1449 that was appended to the Information Disclosure Statement (IDS) submitted on January 21, 2004. Additionally, Applicant thanks the Examiner for acknowledging Applicant's claim to foreign priority under 35 U.S.C. §119, and for confirming that a certified copy of the priority document has been received. Claims 1-10 are currently pending in this application upon entry of this Amendment.

### **II. Claims.**

Claims 1-4 are rejected under 35 U.S.C. §102(b) as being allegedly anticipated by DE 19651143 ("*DE '143*").

Claim 1. Applicant claims a location confirmation system, wherein one mobile terminal specifies the timing for which the information is transmitted or received between the information center and another mobile terminal. The Examiner asserts that reference *DE '143* discloses that the timing of information can be dictated by "the client" or by a specific protocol (OA page 2). However, *DE '143* neither discloses nor suggests a system wherein a mobile station dictates the timing for which the information between another mobile unit and the information center is transmitted and received. At least for failing to disclose a location confirmation system, wherein one mobile unit specifies the timing for transmission and reception of the information between another mobile unit and an information center, the alleged anticipation rejection of claim 1 by *DE '143* under 35 U.S.C. §102(b) should be withdrawn.

Claim 2 is asserted to be in condition for allowance at least for depending from an allowable independent claim.

Claim 3. Applicant claims a computer program functioning as a location confirmation system, wherein a timing at which the information is transmitted to or received from another mobile terminal is in accordance with timing information specified by a predetermined mobile terminal. The Examiner asserts that reference *DE '143* discloses that the timing of information can be dictated by "the client" or by a specific protocol (OA page 2). However, *DE '143* fails to disclose a computer program functioning as a location confirmation system, wherein a timing at which the information is transmitted to or received from another mobile terminal is in accordance with timing information specified by a predetermined mobile terminal. At least for failing to disclose a computer program, wherein a timing at which the information is transmitted to or received from another mobile terminal is in accordance with timing information specified by a predetermined mobile terminal, the alleged anticipation rejection of claim 3 by *DE '143* under 35 U.S.C. §102(b) should be withdrawn.

Claim 4 contains the subject matter discussed in the traversal of claim 1. Accordingly, the arguments presented in the traversal of the rejection of claim 1 are hereby asserted in traversal of the rejection of claim 4. It follows that, at least for failing to disclose a location confirmation system, wherein one mobile station dictates, specifies, the timing for which the information between another mobile unit and the information center is transmitted and received, the alleged anticipation rejection of claim 4 by *DE '143* under 35 U.S.C. §102(b) should be withdrawn.

In view of the foregoing amendments and remarks, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue that the Examiner feels may be best resolved through a personal or telephonic interview, he is kindly requested to contact the undersigned at the local telephone number listed below.

AMENDMENT UNDER 37 C.F.R. §1.111  
U.S. SERIAL NO. 10/657,102

ART UNIT 3661  
Q77216

A Petition for a two-month Extension of Time with appropriate fee accompanies this document. The USPTO is directed and authorized to charge all required fees (except the Issue/Publication Fees) to our Deposit Account No. 19-4880. Please also credit any over-payments to said Deposit Account.

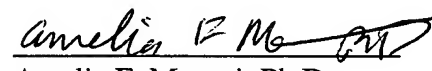
Respectfully submitted,

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WASHINGTON OFFICE

**23373**

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